

SEP 12 1984

Transfer No. 2840

Water Right No. 13-0044

Department of Water Resources
STATE OF IDAHO
Eastern District Office

DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Franklin Maple Creek Pioneer Irr. Co. Phone 208-852-2680

Post Office address P.O. Box 191, Preston, Idaho 83263

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 6538 Decreed to Franklin Maple Creek Pioneer Irr. Co. a Corp
(Name)
in case of Village of Fairview vs Franklin Maple Creek Pioneer Irr
dated in Oct. 16, 1905 in 5th Judicial Dist. county of Franklin
(Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Maple Creek tributary to Cub River

4. Date of priority 1877 (13-0044)

5. Water is used for the following purposes:

amount 2.0 cfs for flood irrigat. purposes from to
amount for purposes from to
amount for purposes from to
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.00 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is SE 1/4 of SE 1/4 of Section 16
Township 16S Range 40E, B.M., in Franklin County

Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose as described above N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

a. Amount of water to be diverted 2.00 c.f.s. &/or _____ acre feet

b. Description of diverting works _____

c. Describe the reasons for the proposed changes See attached explanation

Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30 Township 16S
Range 40E, B.M., Franklin County
Additional points SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T. 16S, R. 40E, B.M.

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes N/A See explanation No See explanation. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

See explanation

c. Describe the land or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 29th day of

Ramon H Wright
Pres. Franklin (Signature of Applicant) Maple Creek, Poudre Riv. C
September, 19 83

Laural Gaskin
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 13-0044 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 13A, Cub River and tributaries.
3. The rate of flow diverted from Cub River under this water right is limited to the rate of flow available for diversion under this right at the point of diversion from Maple Creek.

Witness my hand this 6th day of September, 19 84

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>9-30-83</u>	Protest filed by _____
Prelim. check by _____	Fee <u>\$20.00</u>	_____
Receipted by <u>CW</u>	Date <u>10-11-83 #29705</u>	_____
Published in <u>Preston Citizen</u>	Copies of protest forwarded by _____	
Pub. dates <u>10/27 & 11/3/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>WD 13-A</u>	Recommended for <u>approval</u> denial	
rec'd. _____	by <u>EMC Jinn DRT</u>	

